

# **Foothill Transit Executive Board**

## **MINUTES**

The regular meeting of the Foothill Transit Executive Board was held Friday, February 23, 2007 at the Foothill Transit Board Room, 1<sup>st</sup> Floor, 100 North Barranca Avenue, West Covina.

President Briesemeister called the meeting to order at 8:09 a.m. The following members were present, constituting a quorum of the Executive Board:

Wil Briesemeister, President  
Paula Lantz, Vice President  
Peggy Delach  
Dan Kirby  
Lola Storing

Staff and Guests present:

Doran Barnes, Executive Director  
Kevin McDonald, Deputy Executive Director  
Darold Pieper, General Counsel  
Peter Papadakis, Deputy Secretary

### **Pledge of Allegiance**

Member Lantz led those present in the Pledge of Allegiance.

### **APPROVAL OF MINUTES FOR THE REGULAR MEETING OF JANUARY 26, 2007**

The regular meeting minutes of January 26, 2007 were approved as submitted.

Motion:	Member Delach, seconded by Member Storing
Abstentions:	Member Kirby
Vote:	Duly carried

President Briesemiester recognized Mike Griffus, Chief Operating Officer, Veolia Inc.

## **PUBLIC COMMENT**

There was none.

## **PRESENTATIONS:**

### **Contractor's Operator of the Month Awards**

Jeff Moore introduced and recognized the following awardee:  
Dennis Amorato, Operator of the Month, Irwindale/Arcadia First Transit

Phil DeLisle introduced and recognized the following awardee:  
Jose Reyes, Operator of the Month, Pomona First Transit

### **Contractor's Operator of the Month Awards**

Phil DeLisle introduced and recognized the following awardee:  
Joe Loera, Employee of the Quarter, Pomona First Transit

On behalf of Foothill Transit, Executive Director Barnes presented Phil DeLisle a commendation commemorating his dedicated efforts over the years in providing service to Foothill Transit.

## **CONSENT CALENDAR:**

The Executive Board adopted Consent Calendar agenda items 7-12

Motion: Member Storing, seconded by Member Kirby  
Vote: Unanimously carried

## **REGULAR AGENDA:**

### **PROPOSED FISCAL YEAR 2008 MAJOR INITIATIVES**

Kevin McDonald, Deputy Executive Director, reported on Foothill Transit's proposed key initiatives for the upcoming 2008 fiscal year: TAP/UFS Implementation; SmartBus Integration; Enhanced Express Service; HOV Lane Advocacy; West Covina and Puente Hills Park and Ride Facilities; Community Connections; Improved Front Line Customer Service; and Website Modifications/Redesign. Pending Executive Board approval, these initiatives will be included in the draft version of the FY 2008 Business Plan for review by the Administrative Advisory Committee.

The Executive Board approved the Proposed FY 2008 Business Plan Initiatives

Motion: Member Delach, seconded by Member Kirby  
Vote: Unanimously carried

### **TRANSIT SECURITY**

David Reyno, Director of Government Relations, reported on the safety and security challenges facing Foothill Transit. Mr. Reyno reported that the Los Angeles County Sheriff's Department Transit Services Bureau is willing to assist Foothill Transit in its effort to provide transit security. The Sheriff's Department would focus on quality of life issues including but not limited to: fare evasion; vandalism/graffiti abatement; disorderly conduct and other violations of section 640 of the California Penal Code. The law enforcement officers are prepared to use pro-active and preventive best practices in favor of reactive law enforcement methods. The anticipated annual cost per deputy is approximately \$178,000 and there will be capital costs identified in the FY 2008 Business Plan.

The recommendation is to direct the Executive Director to include funding for a contract with the Los Angeles County Sheriff's Department Transit Services Bureau for two dedicated law enforcement officers in the FY 2008 Foothill Transit Business Plan and to begin contract negotiations accordingly.

The Executive Board approved the above recommendation.

Motion: Member Delach, seconded by Member Kirby  
Vote: Unanimously carried

### **PROPOSED 2007 STATE AND LOCAL LEGISLATIVE PROGRAM**

Mr. Reyno listed the following objectives and goals for Foothill Transit regarding the 2007 State and Local Legislative Program. On the State side, the goal of the legislative program is to ensure that policy decisions are beneficial to Foothill Transit's operations and funding and to build a strong presence with Foothill Transit's State legislative delegation and staff. On the local level, ensure that policy decisions made by regional planning and programming entities are beneficial to Foothill Transit and continue to maintain strong relationships with elected officials and staff in member cities as well as other municipal operators.

The Executive Board adopted the Proposed 2007 State and Local Legislative Program as outlined in Attachment A.

Motion: Member Storing, seconded by Member Delach  
Vote: Unanimously carried

### **PROPOSED 2007 FEDERAL LEGISLATIVE PROGRAM**

Mr. Reyno outlined the proposed goals for the 2007 Federal Legislative Program as follows: strengthen the relationships with federal representatives in Washington D.C. and respective committees that could impact Foothill Transit; submit a request for \$10 million for FY 2008 for the Transit Oriented Neighborhood Program (TONP); maintain

active participation with the American Public Transportation Association (APTA); and support federal legislation that enhances Foothill Transit's ability to deliver effective/efficient service, increase transit funding, and encourage transit-oriented development throughout the United States.

The Executive Board adopted the Proposed 2007 Federal Legislative Program as outlined in Attachment A.

Motion: Member Kirby, seconded by Member Delach  
Vote: Unanimously carried

### **CONTRACT AMENDMENT – CONSTRUCTION GENERAL CONTRACTOR SERVICES FOR THE NEW ADMINISTRATIVE OFFICES**

Bob Arthur, Director of Special Projects, addressed the Board and presented a list of Change Order Requests (COR) needed for the construction and renovations to Foothill Transit's new administrative offices. In response to Member Kirby, Ed Gill, Special Counsel, advised that the baseline amount the Executive Director is authorized to approve regarding COR is 2.5% for every \$5 million spent. Executive Director Barnes informed the Board that granting him the discretion to approve/disapprove COR's will greatly assist in completing the construction project schedule without delays. He also reminded the Board that a special meeting will need to be held for every instance a COR needs approval.

The recommendation is to approve COR's #84R-1, #85-#91, #93-#94, and #97 totaling \$178,170.00 related to the construction of Foothill Transit's Administrative Offices in West Covina; and authorize the Executive Director to approve future COR's, not to exceed a cumulative value of \$150,000, that are related to unknown field conditions, City/County code conditions and/or field inspection requirements, and suspected errors and omissions in the project plans and specifications.

The Executive Board approved the above recommendation.

Motion: Member Delach, seconded by Member Kirby  
Vote: Unanimously carried

### **CONTRACT AWARD – ULTRA LOW SULFUR DIESEL FUEL**

LaShawn Gillespie, Director of Procurement & Fare Revenue, reported that during final contract negotiations, Falcon Fuels Incorporated refused to comply with the terms and conditions established by Foothill Transit concerning the exercise of options at the sole discretion of Foothill Transit. However, Merrimac Energy Group, the second lowest responsive bidder with a price margin of \$0.00589, has agreed to all of the contract terms and conditions established by Foothill Transit.

The Executive Board authorized the Executive Director to execute a contract with Merrimac Energy Group for the purchase and delivery of Ultra Low Sulfur Diesel Fuel (ULSD) for the Irwindale operations and maintenance facility for two years, with one two year options and a price based on the per-gallon price of California Air Resources Board (CARB) ULSD as per the Oil Price Information Service (OPIS) plus \$0.00589 plus all applicable taxes and fees.

Motion: Member Storing, seconded by Member Delach  
Vote: Unanimously carried

### **CONTRACT AWARD – GENERAL MARKETING SERVICES**

In response to the October 27, 2006 issuance of RFP No. 07-019, Ms. Gillespie reported a total of seven bids were received. After a thorough evaluation of the written proposals and oral interviews, Pulsar Advertising achieved the highest rating. Pulsar Advertising has provided previous marketing services to Foothill Transit and will continue to focus on the following areas: General Marketing Programs; TAP Program; Silver Streak Promotions; Website Upgrades/Modifications; and a Customer Satisfaction Survey.

The Executive Board authorized the Executive Director to award a three-year contract with two one-year options to be exercised at the sole discretion of Foothill Transit to Pulsar Advertising for the provision of General Marketing Services for amounts of \$206,000 for Year 1; \$208,000 for Year 2; and \$210,000 for year 3, and to negotiate final terms and conditions.

Motion: Member Delach, seconded by Member Storing  
Vote: Unanimously carried

### **BOARD MEMBER AND EXECUTIVE DIRECTOR COMMENTS**

Members Delach and Storing expressed thanks and enthusiasm to Foothill Transit staff, particularly Rahul Kumar, Director of Planning, for his willingness to visit Swinerton Incorporated and La Puente City Hall to provide a presentation on the upcoming Silver Streak service. Executive Director Barnes reported the APTA's legislative conference is scheduled to occur March 11-13, 2007 at the J.W. Marriott in Washington, D.C. Foothill Transit staff along with Members Fasana, Herrera, Kirby, and Lantz are scheduled to attend. Mr. Barnes also noted that Silver Streak service will begin March 18, 2007 and that the Silver Streak Ribbon Cutting Ceremony will be held on April 2, 2007 with several dignitaries to attend including keynote speaker Grace Napolitano, Congresswoman, 38<sup>th</sup> Congressional District of California. Lastly, Mr. Barnes advised the Executive Board that there is a need to schedule a special meeting to discuss the contract situation concerning the Irwindale operations and maintenance facility. Discussion ensued and consensus was reached to hold the special meeting of the Executive Board on Friday, March 2, 2007 at 7:30 a.m.

**CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – EXISTING  
LITIGATION: Existing litigation pursuant to Government Code Section 54956.9 (a):  
Name of case: Vonderluhe v. City of Baldwin Park**

**CLOSED SESSION CONFERENCE WITH REAL PROPERTY NEGOTIATORS –  
Government Code Section 54956.8**

- a) **Property: 100 S. Vincent Avenue, West Covina, CA 91791; Negotiating Parties: Chris Chung, City of West Covina; Foothill Negotiators: Doran Barnes, Bob Arthur, and CB-Richard Ellis (Travis Boyd): Under Negotiation: Possible lease or sale of real property including terms and price**
- b) **Property: 1600 S. Azuza Avenue, Puente Hills Mall, City of Industry, CA 91748; Negotiating Parties: Ken Mason, Puente Hills Mall General Manager; Foothill Negotiators: Doran Barnes and Bob Arthur: Under Negotiation: Possible acquisition of real property including terms and price**

**CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED  
LITIGATION: Initiation of litigation pursuant to Government Code Section 54956.9  
(c): Three cases**

The Executive Board recessed to Closed Session at 9:09 a.m.  
The Executive Board reconvened at 9:34 a.m.

Darold Pieper advised that no reportable actions were taken that are required to be disclosed.

**ADJOURNMENT**

There being no further business, the Executive Board adjourned at 9:35 a.m.